

# Housing Homeless People on a Religious Organization's Property

This Act defines a religious organization and authorizes such organizations to host temporary encampments for homeless people on property owned or controlled by such organizations. It restricts counties, cities, and or towns from enacting ordinances or regulations that unreasonably interfere with the actions of a religious organization to shelter or house homeless people on property the organization owns or controls.

Submitted as:

Washington

[Chapter 175, Laws of 2010](#)

Status: Enacted into law in 2010.

## Suggested State Legislation

(Title, enacting clause, etc.)

1           Section 1. [*Short Title*.] This Act shall be cited as “An Act Relating to Housing Homeless  
2 People on a Religious Organization’s Property.”

3  
4           Section 2. [*Conditions to Permit Religious Organizations to Host Temporary*  
5 *Encampments for Homeless People*.]

6           (A) For the purposes of this Act, “religious organization” means the federally protected  
7 practice of a recognized religious assembly, school, or institution that owns or controls real  
8 property.

9           (B) A religious organization may host temporary encampments for the homeless on  
10 property owned or controlled by the religious organization whether within buildings located on  
11 the property or elsewhere on the property outside of buildings.

12           (C) A county as defined under [insert citation], a city as defined under [insert citation], a  
13 town as defined under [insert citation], or a code city as defined under [insert citation], may not  
14 enact an ordinance or regulation or take any other action that:

15                 (1) Imposes conditions other than those necessary to protect public health and  
16 safety and that do not substantially burden the decisions or actions of a religious organization  
17 regarding the location of housing or shelter for homeless people on property owned by the  
18 religious organization;

19                 (2) Requires a religious organization to obtain insurance pertaining to the liability  
20 of a municipality with respect to homeless people housed on property owned by a religious  
21 organization or otherwise requires the religious organization to indemnify the municipality  
22 against such liability; or

23                 (3) Imposes permit fees in excess of the actual costs associated with the review  
24 and approval of the required permit applications under [insert citation].

25           (D) An appointed or elected public official, public employee, or public agency as defined  
26 in [insert citation] is immune from civil liability for damages arising from the permitting  
27 decisions for a temporary encampment for the homeless as provided in this section and any  
28 conduct or unlawful activity that may occur as a result of the temporary encampment for the  
29 homeless as provided in this section.

30 (E) Nothing in this Act is intended to change applicable law or be interpreted to prohibit a  
31 county, city, town, or code city from applying zoning and land use regulations allowable under  
32 established law to real property owned by a religious organization, regardless of whether the  
33 property owned by the religious organization is used to provide shelter or housing to homeless  
34 people.

35  
36 Section 3. [*Severability.*] [Insert severability clause.]

37  
38 Section 4. [*Repealer.*] [Insert repealer clause.]

39  
40 Section 5. [*Effective Date.*] [Insert effective date.]